

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 AGRE-00 CIAE-00 COME-00 EB-08
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OMB-01 L-03 SS-15 NSC-05 AID-05 CEA-01 SIL-01
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R 211748Z APR 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC 7941
INFO AMEMBASSY BERLIN
AMEMBASSY BRUSSELS
AMEMBASSY BUCHAREST
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
AMEMBASSY WARSAW
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BONN 07560

USEEC

E.O. 11652: GDS
TAGS: PGOV, BQG, EEC, RO, PL, HU
SUBJECT: APPLICABILITY TO BERLIN OF EC TEXTILE AGREE-
MENTS WITH CEMA COUNTRIES

REF: BONN 6771

BEGIN SUMMARY. THE EC HAS NOT YET BEEN GIVEN THE
GO-AHEAD FOR THE AGREED APPROACH TO THE POLES ON THE
AREA OF APPLICABILITY CLAUSE IN THE EC-POLISH TEXTILE
AGREEMENT, BECAUSE THE UK AND THE FRG IN THE BONN
GROUP HAVE NOT YET AGREED ON WHETHER BERLIN AND THE
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FRG SHOULD BE LISTED ON THE SAME LINE IN THE LIST OF
EC TERRITORIES TO BE HANDED OVER TO THE POLES. END
SUMMARY.

1. AT THE APRIL 14 BONN GROUP MEETING, THE UK REP
(EYERS) SAID LONDON HAD INSTRUCTED HIM TO RAISE THE
SUBJECT OF THE LIST OF EC TERRITORIES WHICH MIGHT BE

GIVEN TO THE POLES AND HUNGARIANS (REFTEL, PARA. 8). HE UNDERSTOOD FROM A TELEPHONE CONVERSATION WITH THE FRG REP (VON BRAUNMUEHL) THAT THE FRG ATTACHED IMPORTANCE TO PUTTING THE FRG AND WEST BERLIN ON ONE LINE. LONDON PREFERRED THE PATTERN PREPARED BY THE LEGAL OFFICE OF THE EC COMMISSION (COPY OF LIST POUCHED TO DEPARTMENT (EUR/CE) AND USBER ON APRIL 14) WHICH WOULD SHOW THE EC MEMBER COUNTRIES FIRST, THEN BERLIN (WEST), GIBRALTAR, FRENCH OVERSEAS DEPARTMENTS, ETC. IT WAS LOGICAL AND LESS PROVOCATIVE, YET IT WOULD STILL ACHIEVE THE COMMON GOAL OF THE UNEQUIVOCAL INCLUSION OF WEST BERLIN. HE NOTED THAT LONDON WAS NOT CONCERNED WHETHER PART II OF THE LIST (SHOWING TERRITORIES TO WHICH THE AGREEMENT WOULD NOT APPLY) WAS OR WAS NOT INCLUDED.

2. VON BRAUNMUEHL REPLIED THAT THE ALLIES HAD STRUGGLED FOR YEARS BILATERALLY AND IN INTERNATIONAL ORGANIZATIONS WITH THE EASTERN SIDE ON THE LISTING OF WEST BERLIN. THIS LIST WOULD BE CIRCULATED TO THE SOVIETS AND POLES AND, NO DOUBT, IN INTERNATIONAL ORGANIZATIONS AS WELL. THERE WAS NO CHANCE WHATSOEVER THAT THE FRG WOULD AGREE. THE FORMULA, "FEDERAL REPUBLIC OF GERMANY AND BERLIN (WEST)" WAS THE LEAST THE FEDERAL GOVERNMENT COULD ACCEPT.

3. THE FRG LEGAL ADVISER (HILLGENBERG) NOTED THAT ALL CONFIDENTIAL

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OF THE FRENCH AND UK TERRITORIES LISTED HAD A SPECIAL, AT LEAST QUASI-AUTONOMOUS, STATUS IN RELATION TO THE EC, WITH CORRESPONDING PROTOCOL ARRANGEMENTS. BERLIN, HOWEVER, WAS INCLUDED UNDER THE FRG RUBRIC BY A UNILATERAL FRG DECLARATION.

4. TURNING TO HIS FALLBACK POSITION, EYERS SAID THAT, IF BERLIN AND THE FRG WERE LISTED ON ONE LINE, THE OTHER PARENT COUNTRIES AND THEIR RELATED TERRITORIES SHOULD BE LISTED TOGETHER ALSO.

5. AFTER A DISCUSSION ON THE PROS AND CONS OF INCLUDING PART II IN THE LIST, IT WAS AGREED TO RECOMMEND THAT THIS QUESTION BE LEFT TO THE DISCRETION OF THE EC NEGOTIATOR.

6. AT THE APRIL L9 BONN GROUP MEETING, THE FRENCH REP (GAUSSOT) REPORTED THAT IN VIEW OF THE UK ACCEPTANCE, PARIS HAD ACCEPTED, ALTHOUGH WITHOUT ENTHUSIASM, THE IDEA OF LISTING EACH EC COUNTRY AND ITS RELATED TERRITORIES TOGETHER. PARIS FELT, HOWEVER, THAT THE FORMULA WOULD NOT FACILITATE AN AGREEMENT WITH THE

HUNGARIANS OR POLES.

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7. EYERS SAID THAT LONDON WAS NOT HAPPY WITH THE
SAME-LINE FORMULA. IT WAS URGENTLY CONSIDERING
WHETHER TO ASK THE BONN GROUP TO LOOK AT THE PROBLEM
ANEW.

8. GAUSSOT WAS SOMEWHAT SURPRISED BY EYERS' REMARKS.
HE SAID HE HAD TAKEN IT AT THE LAST MEETING THAT
LONDON WOULD ACCEPT "FEDERAL REPUBLIC OF GERMANY AND
BERLIN (WEST)." HIS REPORT TO PARIS HAD BEEN DRAFTED
IN THOSE TERMS AND PARIS HAD RESPONDED THAT, SINCE
LONDON WAS WILLING TO GO ALONG WITH THE FRG POSITION,
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IT WOULD, TOO.

9. VON BRAUNMUEHL SUGGESTED THAT, IF LONDON SHOULD STRONGLY OBJECT TO THE SAME-LINE IDEA, HE FRG SAW NO NEED TO HAND THE LIST TO THE POLES OR HUNGARIANS RIGHT AWAY. INSTEAD, THEY COULD BE TOLD: "IF YOU ARE INTERESTED, WE COULD PROVIDE YOU A LIST OF EC TERRITORIES TO WHICH THE AGREEMENT WOULD APPLY." IT WOULD NOT BE NECESSARY TO SPECIFY WHEN WE WOULD DELIVER THE LIST TO THEM. THIS WOULD ALLOW THE EC TO MAKE THE AGREED APPROACH TO THE POLES VERY SOON, WHILE GIVING THE ALLIES AND FRG TIME TO AGREE AMONG THEMSELVES ON THE BEST FORMAT FOR THE LIST.

10. VON BRAUNMUEHL COMMENTED THAT THE FRG HAD NEVER PRESSED FOR HANDING OVER A LIST. THE AGREED TALKING POINTS, EVEN WITHOUT THE LIST, MAKE IT CLEAR TO THE POLES THAT BERLIN WAS TO BE INCLUDED IN THE AGREEMENT. THIS WAS THE ONLY ASPECT OF THE AREA OF APPLICABILITY CLAUSE IN WHICH THE POLES WERE INTERESTED. SINCE OTHERS (I.E., THE UK) FAVORED HANDING OVER A LIST AND WERE ALSO INTERESTED IN RESUMING TALKS WITH THE POLES AS SOON AS POSSIBLE, HE THOUGHT HIS SUGGESTION MIGHT BE HELPFUL.

11. IT WAS AGREED THAT FURTHER BONN GROUP CONSIDERATION WAS POINTLESS UNTIL THE FCO HAD CONCLUDED ITS INTERNAL CONSIDERATION OF THE PROBLEM.

12.COMMENT: THE MEETINGS OF APRIL 14 AND 19 WERE HARDLY A MODEL EITHER OF ANGLO-FRENCH OR FCO COORDINATION. EYERS HAS INFORMED US THAT, PRIOR TO THE APRIL 14 MEETING, HE HAD SOUGHT FRENCH AGREEMENT TO OPPOSE THE
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SAME-LINE FORMULA, ON THE GROUNDS THAT THIS WILL MAKE IT PRESENTATIONALLY MORE DIFFICULT FOR THE POLES TO ACCEPT THE PROPOSAL. THE FRENCH REP HAD SAID THAT HE WAS UNABLE TO DO SO AND, BASED ON EYERS' REPORT TO THIS EFFECT, THE FCO INSTRUCTED EYERS TO FALL BACK AND ACCEPT THE SAME-LINE PROPOSAL IF THE FRG WERE "ADAMANT." AFTER THE APRIL 14 MEETING, HOWEVER, THE FCO HAD A CHANGE OF MIND AND THE RESULT WAS EYERS' INSTRUCTED STATEMENT IN THE APRIL 19 MEETING. EYERS TELLS US HE WAS SURPRISED AT GAUSSOT'S STATEMENT AT THE APRIL 19 MEETING THAT THE QUAI HAD AGREED TO ACCEPT THE SAME-LINE

FORMULA BECAUSE THE BRITISH DID. EYERS
ATTRIBUTES THE PROBLEM TO INADEQUATE FRENCH REPORTING
ON THE SUBJECT.

13. WE CONTINUE TO REGARD THIS AS A TACTICAL QUESTION.
WE AGREE, HOWEVER, WITH THE FRG POSITION THAT THE
SEPARATION OF THE FRG AND BERLIN (WEST) AS THE EC HAS
PROPOSED COULD HAVE IMPLICATIONS FOR THE BATTLES THE
FRG AND THE ALLIES FIGHT IN INTERNATIONAL FORA OVER
THE WAY WEST BERLIN IS LISTED IN VARIOUS PUBLICATIONS.
SHOULD LONDON (AND PERHAPS PARIS) INSIST ON THE DIVI-
SION PROPOSED BY THE EC, WE WOULD PROPOSE TO SUPPORT
THE FRG ON THIS ISSUE IN VIEW OF THESE IMPLICATIONS.
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